

Message Text

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14

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DRAFTED BY SCA;SCS;RBOYLAN:JS

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS

UNCLAS STATE 178689

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: SERVICE OF LEGAL PROCESS IN FRANCE

REF: PARIS 20787

1. SINCE ART. 8 OF HAGUE SERVICE CONVENTION DOES NOT REQUIRE CONOFFS TO SERVE DOCUMENTS, DEPT'S REGS (7 FAM 874.2 AND 22 CFR 92.85) ARE CONTROLLING.

2. IF DOCUMENTS HAD BEEN MAILED DIRECTLY TO RECIPIENT BY BEARMAN, AND U.S.C. WISHED TO EXECUTE AFFIDAVIT AT EMBASSY TO EFFECT HE HAD RECEIVED THEM, DEPT WOULD HAVE HAD NO OBJECTION. ALTERNATIVELY, SINCE DOCS ARE ALREADY AT EMBASSY, USC MAY PICK THEM UP AND EXECUTE AFFIDAVIT TO THAT EFFECT. IN NEITHER CASE, HOWEVER, SHOULD CONOFF SERVE PAPERS OR DRAFT AFFIDAVIT OF SERVICE, AS BEARMAN APPEARS TO WANT. IN DECLINING TO EFFECT SERVICE, CONOFF SHOULD CITE 22 CFR 92.85, AND IN REFUSING TO DRAFT AFFIDAVIT OF SERVICE, CONOFF SHOULD POINT TO 22 CFR 92.81(A).

3. DEPT CONSIDERS THAT SERVICE BY HAGUE CONVENTION IS PREFERABLE SINCE IT MINIMIZES EMBASSY INVOLVEMENT AND IS IN ACCORD WITH FRENCH DESIRES. KISSINGER

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Disposition Approved on Date:
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Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JS
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